

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GUSTAVO ADRIAN PRIEGO,
Plaintiff,
v.
SULLIVAN, et al.,
Defendants.

Case No. [14-cv-02366-JD](#)

ORDER

Plaintiff, a state prisoner, proceeds with a civil rights complaint. He alleges that defendants were deliberately indifferent to his serious medical needs. Defendants filed a motion for summary judgment on June 8, 2015, that argued there was no deliberate indifference to serious medical needs and defendants were entitled to qualified immunity. Plaintiff has filed an opposition and defendants filed a reply. Plaintiff has also filed a motion to compel.

The Court previously stayed discovery until the threshold question of qualified immunity is settled. However, the Court did allow plaintiff to identify specific documents from his medical file that he requires to oppose summary judgment and does not possess and the Court would consider ordering them to be produced. Plaintiff seeks outcome study/data regarding his treatment on October 11, 2012, December 10, 2012, January 4, 2013, and April 16, 2013. He states they are referenced in the motion for summary judgment but he does not have them. Within fourteen (14) days, defendant shall either provide plaintiff this information, or respond why the information should not be provided.¹


¹ All of plaintiff's other requests are denied.

CONCLUSION

Within **fourteen (14) days**, defendant shall either provide the information discussed above or respond why the information should not be provided. The Court will rule on the motion to compel after defendant files a response.

IT IS SO ORDERED.

Dated: December 15, 2015



JAMES DONATO
United States District Judge

United States District Court
Northern District of California

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CERTIFICATE OF SERVICE


I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 15, 2015, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Gustavo Adrian Priego ID: P-87815
PBSP-SHU (C/3 #205)
P.O. Box 7500
Crescent City, CA 95532

Dated: December 15, 2015

Susan Y. Soong
Clerk, United States District Court

By: 
LISA R. CLARK, Deputy Clerk to the
Honorable JAMES DONATO